

## **REMARKS**

### **Pending Claims**

Claims 1 and 3-17 are canceled without prejudice, and add claims 18-67. Claim 2 was canceled previously. Therefore, claims 18-67 are pending and are at issue.

Support for newly added claims 18-67 can be found in the specification as originally filed, for example in Figures 4, 6-8, 10, and 11; p. 3, ll. 1-9; p. 6, l. 6-p. 7, l. 18; p. 9, l. 18-p. 12, l. 1; p. 13, l. 12-25; p. 15, l. 21-p. 16, l. 23. No new matter has been added.

### **Claim Rejection – 35 USC §102**

Claims 1 and 3-17 (the previously pending and now canceled method and apparatus claims) were rejected under 35 USC §102(e) as anticipated by Tokuhara et al. The Examiner contends that Tokuhara et al. discloses a method of forming a sintered compact comprising: filing a die; compacting to form a green compact; placing the compact on a sintering plate; and sintering the compacts to form a sintered compact. The green compacts are arranged in an array formation on the sintering plate so that sintering is in a directional manner, i.e., the sintering of the vertical sides would take place at an inherently different rate than the bottoms.

The rejection is respectfully traversed, and reconsideration is requested.

The presently pending method claims (claims 18-59) provide for the preparation of certain green compacts (*i.e.*, those having a decreasing gradient across the green compact and preferably a dimensional or density gradient) and placing those specific compacts on the sintering plate in a specific orientation. Tokuhara et al. does not disclose any type of gradient across its green compacts or any orientation on the sintering plate, let alone those orientations specified by the present claims. Therefore, Tokuhara et al. cannot be relied to reject the present method claims.

The presently pending apparatus claims (claims 60-68) provide for a sintering plate holder with a rotation mechanism. This mechanism allows precise positioning of the sintering plate so that green compacts can be placed in precise orientations. Tokuhara et al. does not disclose any

such rotation mechanism. Therefore, Tokuhara et al. cannot be relied to reject the present apparatus claims.

Claims 10-13 (the previously pending and now canceled apparatus claims) were also rejected under 35 USC §102(e) as anticipated by Tokuhara et al. Here, the Examiner contends that Tokuhara et al. discloses an apparatus which contains a sintering plate, a placement mechanism, a sintering plate holder, and a conveyor for conveying the sintering plate to the holder.

The rejection is respectfully traversed, and reconsideration is requested.

Again, the presently pending apparatus claims (claims 60-68) provide for a sintering plate holder with a rotation mechanism. This mechanism allows precise positioning of the sintering plate so that green compacts can be placed in precise orientations. Tokuhara et al. does not disclose any such rotation mechanism. Therefore, Tokuhara et al. cannot be relied to reject the present apparatus claims.

#### SUMMARY

It is believed, for the foregoing reasons, that the pending claims warrant allowance, and such action is earnestly solicited.

Dated: September 19, 2006

Respectfully submitted,

By 

Louis J. DelJuice

Registration No.: 47,522

DARBY & DARBY P.C.

P.O. Box 5257

New York, New York 10150-5257

(212) 527-7700

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant